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FACSIMILE TRANSMISSION**DATE:** April 6, 2005**MATTER NUMBER:** 01999 10201181

RECIPIENT(S):	FAX NO.:	PHONE NO.:
Examiner Mathieu Vargot United States Patent and Trademark Office Group Art Unit 1732	(703) 872-9306	

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APR 06 2005**FROM:** Mark B. Wilson**FLOOR:** 20**PHONE:** (512) 536-3035**FAX:** (512) 536-4598**RE:** Response to Office Action Dated 10-6-04 w/Ext of Time; Request to Withdraw Finality
of Office Action**NUMBER OF PAGES INCLUDING COVER PAGE:** 14 Originals Will Not Follow**MESSAGE:**

SN 10/068,232 - "METHOD FOR SURFACE POLISHING OF AN OPTICAL ARTICLE USING A SOLVENT OR A MIXTURE OF SOLVENTS" by Aude Prieur-Blanc et al.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 06 2005

In re Application of:

Aude PRIEUR-BLANC *et al.*

Group Art Unit: 1732

Serial No.: 10/068,232

Examiner: Vargot, Mathieu D.

Filed: February 6, 2002

Atty. Dkt. No.: ESSR:062US

For: METHOD FOR SURFACE POLISHING
OF AN OPTICAL ARTICLE USING A
SOLVENT OR A MIXTURE OF
SOLVENTSCERTIFICATE OF FACSIMILE TRANSMISSION
37 C.F.R. § 1.8I hereby certify that this correspondence is being
transmitted to: Commissioner for Patents, Washington,
D.C. 20231, Attn: Examiner Mathieu Vargot, GAU 1732,
facsimile number (703) 672-2300 on the date below:

April 6, 2005

Date

Mark Wilson

REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION
DATED OCTOBER 6, 2004

MAIL STOP AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

A. Facts In Support of Request

On October 6, 2004, a final Office Action (the "Action") was issued in connection with the above-captioned application. The finality of the Action was based on the Examiner's

contention that an amendment requiring that the steps of "grinding, fine grinding and polishing" to be successive necessitated a new ground of rejection. Applicants respectfully disagree.

The amendment in question was made to pending claim 18 at the suggestion of the Examiner in light of an indefiniteness rejection made under 35 U.S.C. § 112, second paragraph. In the previous Office Action, mailed January 2, 2004, the Examiner stated that he "assumed" successive steps were required and that this be "clearly set forth" in the claims. Because the amendment constitutes the clarification of what the Examiner already understood the claim to mean, Applicants respectfully assert that it is improper to invoke this amendment as a basis for a new ground of rejection.

This was discussed with the Examiner in a telephone interview on December 1, 2004, between the Examiner and Applicants' representative, Michael R. Krawzsenek. During the interview, the Examiner agreed to remove the finality of the Office Action. A Response to the Office Action is also being filed with this Request.

For at least these reasons, Applicants request that the finality of the Action be withdrawn.

B. Conclusion

Because Applicants believe that the facts presented herein support the withdrawal of the finality of the Action by the Examiner, it is believed that no fees are due in connection with this request; however should the Commissioner determine that any fees under 37 C.F.R. 1.16 – 1.21, including any petition fees, are required for any reason, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/ESSR:062US.

Respectfully submitted,



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Date: April 6, 2005